

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

AUG 21 2003

OFFICE OF
MANAGING DIRECTOR

Mr. John F. Teer
Delta Communications Company
2802 Lazy Lake Drive
Harlingen, Texas 78550-8636

Re: Delta Communications Company
Request for Refund of GMRS Application
Fee Control No. 0210138994898854

Dear Mr. Teer:

This letter responds to your request (dated June 4, 2003) submitted on behalf of Delta Communications Company (Delta) for a refund of the \$50.00 application fee filed for a General Mobile Radio Service (GMRS) license. In your request, you state that at the time you filed the GMRS application on behalf of Delta, you did not realize that only individuals are eligible for GMRS licenses.

Our records reflect that on October 13, 2002, Delta filed an application for a GMRS license and paid a \$75.00 fee. The \$75.00 fee included a \$50.00 application fee and a \$25.00 regulatory fee for the GMRS license. Because Section 95.5(a) of the Commission's rules provides that only individuals are eligible to obtain a GMRS license, Commission staff, on October 16, 2002, dismissed Delta's GMRS license application. In a letter dated October 17, 2002, you requested a refund of the \$75.00 that you filed in connection with Delta's GMRS license application. The United States (U.S.) Treasury subsequently issued Delta a refund in the amount of \$25.00.

The \$50.00 for which you request a refund represents the application fee that you submitted in connection with Delta's GMRS application.¹ Filing fees accompanying requests for the Commission's regulatory services listed in Sections 1.1102 through 1.1107 of the Commission's rules, including Delta's \$50.00 GMRS application fee, are only refundable in the limited circumstances set forth in Section 1.1113 of the rules. None of those circumstances are applicable here. The fact that you may not have been aware of or fully understood the Commission's rules regarding the eligibility for GMRS licenses provides insufficient grounds for a grant of your refund request. We therefore deny your request for a refund of the \$50.00 GMRS application fee.

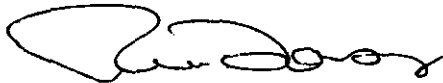

¹ The \$25.00 that the U.S. Treasury refunded to Delta represents the regulatory fee that you submitted in connection with Delta's GMRS application.

Mr. John F. Teer

2.

If you have any questions concerning this letter, please contact the Revenue and Receivables Operations Group at (202) 418-1995.

Sincerely,


 Mark A. Reger
Chief Financial Officer

021013 8994898854

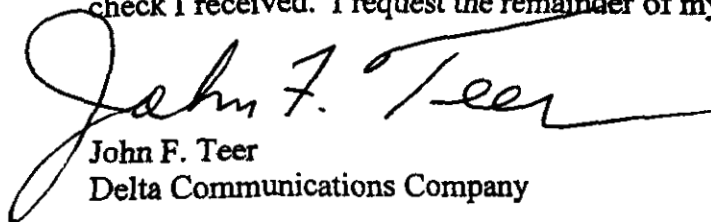
June 4, 2003
2802 Lazy Lake Drive
Harlingen, Texas 78550

Federal Communications Commission
Office of Managing Director
445 12th Street, SW
Washington, D.C. 20554

Sir or Madam:

On October 15, 2002 I filed an application in the name of Delta Communications Company for a General Mobile Radio Service license that I thought I needed. A charge of \$75.00 was made to my VISA card. I did not realize at the time of filing that GMRS licenses are only issued to individuals. That is why my application was Dismissed.

I send a letter on October 17, 2002 requesting a refund of my \$75.00. That letter contained all of the information pertinent to the application. I later received a check in the amount of \$25.00. I have tried unsuccessfully to have a check sent to me for the remaining \$50.00. I have enclosed a copy of my original letter and a copy of the \$25.00 check I received. I request the remainder of my money (\$50.00) be sent to me.


John F. Teer
Delta Communications Company

① 2dy letter
② Assign to Pth -
cc: Claudette
clara

③ 30 dy fixer
MAY
6/3

RECEIVED

JUN 10 7 44 AM '03

ASSOC. MNG. DIR.
FINANCIAL OPERATIONS
(JUN 10 2003)

RECEIVED JUL 1 1 2003

October 17, 2002
2802 Lazy Lake Drive
Harlingen, Texas 78550-8636

Federal Communications Commission
General Mobile Radio Service
1270 Fairfield Road
Gettysburg, PA 17325-7245

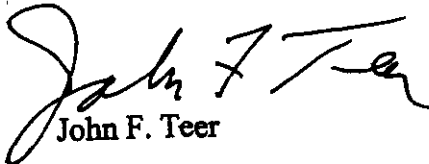
COPY

I request a refund of \$75.00 that was charged to my Visa Credit Card made on the Internet for an FCC license application that was **DISMISSED**. The following information is provided as required:

APPLICANT NAME: Delta Communications Company
APPLICANT ADDRESS: 2802 Lazy Lake Drive
Harlingen, Texas

FCC File Number: 0001056807
FRN: 0007795594
PIN: 000011358
EIN: 13-4215353
RADIO SERVICE: ZA (GMRS)
CALL SIGN: Not Issued
APPLICATION FILED: 10/15/2002 at 02:30PM

A copy of the documentation for the application is attached to this letter.


John F. Teer

AR012-A
7/18/2003
9:36:37

RAMIS ACCOUNTS RECEIVABLE - (c) DSG, Inc.
RECEIPTS DETAIL REPORT
SORTED BY TRANSACTION DATE, CD No., FEE CONTROL No.

PAGE 1
7/18/2003
9:36:37

CD No.	CD DATE	FEE CONTROL No.	FRN	PAYER NAME	TRANSACTION DATE	RECEIPT AMOUNT
101302	10/13/02	0210138994889930	0007795594	Deactivated	10/13/02	\$75.00

Seq: 1 Call Sign: FCC Code 1: FCC Code 2: 0001056807 Tin Number: X00581160
PTC: PAZR QTY: 1 Applied Amt: 75.00
Applicant Name: DELTA COMMUNICATIONS COMPANY
Address: 2802 LAZY LAKE DRIVE

Total: \$75.00

Payment Transactions Detail Report

Date: 07/18/2003

BY: FEE CONTROL NUMBER

Fee Control Number	Payor Name	Fcc Account Number	Payer TIN	Received Date							
0210138994898854	Delta Communications Company 2802 Lazy Lake Drive Harlingen TX 78550	GP00238739 0		10/13/2002 16:43:41							
Payment Amount	Current Balance	Seq Num	Payment Type Code	Quantity	Callsign Other Id	Applicant Name	Applicant Zip	Bad Check	Detail Amount	Trans Code	Payment Type
\$75.00	\$50.00	2	PAZM	1		Delta Communications Company	785508636		\$50.00	2	PMT
\$75.00	\$50.00	3	PAZR	1		Delta Communications Company	785508636		(\$25.00)	2	RFD
\$75.00	\$50.00	1	PAZR	1		Delta Communications Company	785508636		\$25.00	2	PMT
Total	3									\$50.00	